



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Susan H. WOODS et al.

Application No.: 10/035,215

Filed: January 4, 2002

Docket No.: WWT-02-001US

Group Art Unit: 1661

Examiner: W. Haas

Title: METHOD AND APPARATUS FOR THE MICRO- AND
MACROPROPAGATION OF REED GRASSES

PETITION FOR UNINTENTIONALLY DELAYED PRIORITY CLAIM

Mail Stop Petitions
Commissioner of Patents
PO Box 1450
Alexandria, Virginia 22313-1450

September 14, 2004

Sir:

Applicants hereby petition for the delayed acceptance of Applicants' claim for priority to their provisional application, Serial No. 60/259,719, filed January 4, 2001.

The entire delay in claiming such priority between the date the claim was due under 37 CFR 1.78(a)(5) and this date was unintentional. The current application was transferred to the undersigned by Applicants after the death in September 2003 of Applicants' previous attorney, Raymond Powell. In fact, the undersigned prepared the present application in January 2002 for Mr. Powell, which was filed by him in the USPTO. The undersigned recalls that this application had to be filed by the one-year anniversary of January 4, 2002, in order to obtain priority to the provisional application. However, for reasons unknown, Applicants' previous attorney did not claim priority within the 4-month

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period following the filing of this application, as required. The inventors were not aware of this requirement.

The undersigned only became aware of the absence of the claim of priority from the examiner's comments in the final Office Action, as she had assumed that priority had been claimed.

Thus, it is respectfully requested that this delayed claim for priority be accepted.

This Petition is accompanied by a Request for Continued Examination and an Amendment, which *inter alia* amends the specification to include the claim for priority.

In addition, a check in the amount of \$1715.00, for the \$1330 petition fee under 1.17(t) and the RCE fee, is enclosed.

Respectfully submitted,



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